

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JANUARY 5, 1993  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:02 a.m. The meeting was recessed by Mayor Golding at 10:13 a.m. into Closed Session in the 12<sup>th</sup> floor Conference Room to discuss pending litigation and to reconvene at 2:00 p.m. The meeting was reconvened by Mayor Golding at 2:05 p.m. with Council Members Roberts and Hartley not present. Mayor Golding adjourned the meeting at 2:14 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Stevens-present  
(5) Council Member Behr-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) District 8-vacant  
Clerk-Abdelnour (ll/mc)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Golding-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Stevens-present  
(5) Council Member Behr-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) District 8-vacant

PUBLIC COMMENT:

None.

COUNCIL COMMENT:

ITEM-CC-4:            REFERRED TO MAYOR'S OFFICE

Comment by Council Member Wolfsheimer expressing the urgency of docketing the issue of the Bill in Sacramento banning gambling on cruise ships between ports. Mayor Golding indicated that her office would look into when this item was going to be docketed and would expedite it if necessary.

FILE LOCATION:            AGENDA

COUNCIL ACTION:            (Tape location: A020-035.)

ITEM-52:    (O-93-101)    ADOPTED AS ORDINANCE O-17886 (New Series)

Setting aside and dedicating portions of Lot 73 of Rancho Mission of San Diego, Map-330, for a public park.

(Mission Trails Regional Park Community Area. District-7.

Introduced on 12/8/92. Council voted 8-0. District 8 not present.)

NOTE: See Item 201 for a companion item.

FILE LOCATION:            DEED F-5944    DEEDFY93-1

COUNCIL ACTION:            (Tape location: B019-055.)

MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-201:

(Subitem A was continued from the meeting of December 8, 1992, Item S425C, at Councilmember McCarty's request on behalf of the Attorney's office, to modify the language and to come back at the same time as the

Ordinance.)

Alternate actions regarding creating a conservation  
easement over portions of Lot 73 of Rancho Mission of  
San Diego:  
(Mission Trails Regional Park Community Area.  
District-7.)

Subitem-A: (R-93-970) FILED

Adoption of a Resolution creating and setting aside a  
conservation easement over portions of Lot 73 of Rancho  
Mission of San Diego, Map-330, being two parcels of  
14.93 acres and 3.74 acres located between Spring  
Canyon Road and Soledad Freeway.

Subitem-B: (R-93-1080 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-281312

Adoption of a Resolution creating and setting aside a  
conservation easement over portions of Lot 73 of Rancho  
Mission of San Diego, Map-330; in the event the City  
Council subsequently elects to set aside this  
conservation easement to allow any activities otherwise  
prohibited, a substitute parcel of property of at least  
6.6 acres, as specified in DEP-90-0980, will be  
dedicated as open space and protected by a conservation  
easement as mitigation for the Mission Trails Regional  
Park Visitor's Center project and the conservation  
easement shall remain in effect until the substitute  
parcel is actually dedicated.

NOTE: See Item 52 for a companion item.

NOTE: Council action is to adopt either Subitem A or Subitem  
B, not both.

FILE LOCATION: DEED F-5944

COUNCIL ACTION: (Tape location: B056-106.)

MOTION BY McCARTY TO ADOPT AS AMENDED TO INCLUDE THE  
FOLLOWING ADDITIONAL LANGUAGE TO THE RESOLUTION: "BE IT  
FURTHER RESOLVED, THAT THE MODIFICATIONS IN THIS RESOLUTION  
PERTAINING TO THE CONSTRUCTION OF ROADS ON THE SUBJECT  
PROPERTY GIVE NO GREATER PROTECTION THAN THAT ESTABLISHED BY  
EXISTING LAW AND POLICY." Second by Hartley. Passed by the  
following vote: Wolfsheimer-nay, Roberts-not present,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-330:

A request to approve Vesting Tentative Map VTM-92-0212 (Employment Center Development), Land Development Permit LDP-92-0212, and Carmel Valley Planned District Development Plan Permit No. 92-0212 to construct two, four-story professional office buildings over subterranean parking structures; each consisting of a total of 58,152 square feet of gross professional office floor area and related facilities and site improvements (including landscaping, off-street parking and enhanced paving) on the subject property. The proposed map would subdivide the vacant 5.8 acre site into a total of two lots to accommodate the proposed office land uses, related facilities and various public and private improvements necessary to implement the proposed development of this site. A Land Development Permit is required to permit the distribution of excess soils from the proposed development site to an adjacent lot not included within the boundary of the proposed Tentative Map. The subject property is located on the west side of El Camino Real between Del Mar Heights Road and Valley Centre Drive in the EC (Employment Center) Zone and within the Neighborhood Two area of the Carmel Valley Community Plan and is more particularly described as Lot 29 of Employment Center Development Unit 2C, Map-11460. (VTM/LDP/CVPDDPP-92-0212. District-1.)

Subitem-A: (R-93-1167) ADOPTED AS RESOLUTION R-281307

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-92-0212 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-93-1168) GRANT THE MAP, ADOPTED AS RESOLUTION R-281308

Adoption of a Resolution granting or denying the vesting tentative map, with appropriate findings to support Council action.

Subitem-C: (R-93-1169) GRANT THE PERMIT, ADOPTED AS RESOLUTION R-281309

Adoption of a Resolution granting or denying the land development permit, with appropriate findings to support Council action.

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Subitem-D: (R-93- ) GRANT THE PERMIT, ADOPTED AS  
RESOLUTION R-281309

(Note: PDD Permit included in Subitem-C R-281309)

Adoption of a Resolution granting or denying the  
Carmel Valley Planned District Development Permit, with  
appropriate findings to support Council action.

FILE LOCATION: Subitem-A & C: PERM-LDP/CUPDDP 92-0212;  
Subitem-B: SUBD-Employment Center Development

COUNCIL ACTION: (Tape location: A112-124.)

Hearing began 10:11 a.m. and halted 10:12 a.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-331: (R-93-789 Rev.) ADOPTED AS AMENDED AS  
RESOLUTION R-281311

Adoption of a Resolution to amend THE PROGRESS GUIDE AND  
GENERAL PLAN of the City of San Diego. The proposed Omnibus  
General Plan Amendment would adopt the following actions  
that have previously been approved by the City Council. All  
required environmental documents have been certified by the  
City Council.

1. The North City West (Carmel Valley) Development Unit 7  
Precise Plan and the North City West Community Plan  
amended April 11, 1989, by Resolution R-273209, to  
redesignate 23.5 acres from single-family residential  
to open space and 7.1 acres from special use area to  
public park. Environmental Mitigated Negative  
Declaration EMND-84-0417 certified by Resolution  
R-273208.
2. The College Area Community Plan and the Mid-City  
Community Plan amended May 2, 1989, by Resolution  
R-273373, to update the College Area Community Plan,  
which included redesignating land uses and adjusting  
the boundary between the Mid-City and College Area  
communities. EIR-87-0601 certified by Resolution  
R-273372.
3. The Balboa Park Master Plan approved July 25, 1989, by  
Resolution R-274090, incorporating the Balboa Park  
Master Plan into the General Plan. EIR-84-0595

- certified by Resolution R-274089.
4. The Clairemont-Mesa Community Plan, Linda Vista Community Plan and University Community Plan amended September 26, 1989 by Resolution R-274465, to update the Clairemont-Mesa Community Plan, to adjust the boundary between Clairemont-Mesa and Linda Vista and to incorporate Marian Bear Park into Clairemont-Mesa from the University community. EIR-87-0224 certified by Resolution R-274464.
  5. The Scripps Miramar Ranch Community Plan amended November 14, 1989, by Resolution R-274731, to redesignate 3.9 acres from industrial park to community commercial. Environmental Negative Declaration END-89-0488 certified by Resolution R-274730.
  6. The Rancho Bernardo Community Plan amended November 14, 1989, by Resolution R-274733, to redesignate a 2.76-acre parcel from private recreation to low-density residential. Environmental Negative Declaration END-89-0685 certified by Resolution R-274732.
  7. The Mission Beach Precise Plan and Local Coastal Program Addendum amended November 21, 1989, by Resolution R-274772, to redesignate the Belmont Park site from commercial recreation to resource-based park. Exempt from CEQA.
  8. The San Pasqual Valley-Lake Hodges Area Plan amended November 21, 1989, by Resolution R-274775, to redesignate a 40-acre parcel from agriculture to open space. (City of Escondido) EIR-87-24 certified by Resolution R-274773.
  9. The Mira Mesa Community Plan amended April 3, 1990, by Resolution R-275438, to redesignate a 3.6-acre site from industrial park to visitor commercial. EIR-88-0739 certified by Resolution R-275437.
  10. The Mission Bay Park Master Plan, Mission Valley Community Plan, Ocean Beach Precise Plan and Local Coastal Program Addendum and the Tierrasanta and University Community Plans amended February 15, 1991, by Resolution R-277366, to provide for Clean Water Program facilities. EIR-90-0212 certified by Resolution R-277356, EIR-89-1397 certified by Resolution R-277364, EIR-90-0225 certified by Resolution R-277365.
  11. The Midway/Pacific Highway Corridor Community Plan and Local Coastal Program addendum amended May 28, 1991, to update the Midway/Pacific Highway Corridor Community Plan by Resolution R-278010. EIR-88-0927 certified by Resolution R-278009.
  12. The Otay Mesa-Nestor Community Plan amended November 26, 1991, by Resolution R-279051, to redesignate a 3.3-acre site from low-density residential to police

- station and a 9-acre site from low-medium density residential to open space and parks. Environmental Negative Declaration END-90-1099 certified by Resolution R-279050.
13. The San Ysidro, Tijuana River Valley and Otay Mesa-Nestor Community Plans and Local Coastal Program addendum amended March 31, 1992, by Resolution R-279679, to transfer a 15-acre parcel from Otay Mesa-Nestor to Tijuana River Valley, redesignate the parcel from commercial recreation to agriculture and approve a phase shift from urbanized to future urbanizing. EIR-89-1115 certified by Resolution R-279678.
  14. The Mission Valley Community Plan amended April 21, 1992, by Resolution R-279807, to redesignate several hillsides from commercial to open space. Exempt from CEQA.

The amendments to the Midway/Pacific Highway Corridor Community Plan, Mission Bay Master Plan, Mission Beach Precise Plan, Nestor Community Plan, Ocean Beach Precise Plan, and Tijuana River Valley Community Plan also constitute amendments to the City of San Diego's Local Coastal Program. If approved by City Council, the proposed Local Coastal Program Amendments must be submitted to the California Coastal Commission for review and final approval. The proposed Local Coastal Program amendments would not become effective until after approval by the California Coastal Commission.  
(Omnibus General Plan. City-Wide.)

FILE LOCATION: LAND-THE PROGRESS GUIDE AND GENERAL PLAN

COUNCIL ACTION: (Tape location: A035-069.)

Hearing began 10:05 a.m. and halted 10:08 a.m.

MOTION BY ROBERTS TO ADOPT ITEMS 1-9 AND 11-14 AND TO CONTINUE ITEM 10 TO FEBRUARY 2, 1993 AT THE REQUEST OF RICH GROSCH, CHAIR OF THE OCEAN BEACH PLANNING BOARD FOR FURTHER REVIEW. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-ineligible.

ITEM-332: CONTINUED FOR SIX MONTHS

(Continued from the meeting of November 17, 1992, Item 330, at Councilmember Hartley's request, at the request of Jim Dawe, for continuing discussions with MTDB on the planning on adjacent property.)

Appeal of James Dawe, representing Warner Ranch Investment Partnership, from the decision of the Planning Commission in denying an initiation of an amendment to the Mission Valley Community Plan (River Valley Condominiums). The subject property is located on the north side of Hotel Circle Place between I-8 and the San Diego River in Mission Valley. The site is zoned MV-CV (Commercial Visitor) by the 1990 Mission Valley Planned District Ordinance (PDO) and is located in the Floodplain Fringe (FPF) Overlay Zone. (District-6.)

Adoption of a Resolution granting or denying the initiation request.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A079-099.)

MOTION BY STALLINGS TO CONTINUE FOR SIX MONTHS AT THE REQUEST OF JIM DAWE TO ALLOW FURTHER DISCUSSIONS WITH MTDB REGARDING THE ACTUAL ACQUISITION AMOUNT OF PROPERTY. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-333: CONTINUED TO JANUARY 26, 1993

(Continued from the meeting of December 8, 1992, Item 331, at the City Manager's request, due to Local Coastal Plan issues in connection with the zoning of the property that need to be resolved.)

Matters of:

1. Adoption of Coastal Development Permit, Planned Commercial Development, Vesting Tentative Map (Torrey Reserve), and Rezone 85-0824 for the development of approximately 483,646 square feet of visitor commercial and office uses on a 60-acre site. The subject property is located east of Interstate 5 and approximately one-quarter mile south of Carmel Valley Road and is described as Parcel 2 of Parcel Map No.



14873. The currently A1-1 zoned (proposed CO zone) site is within the Sorrento Hills Community Plan area.
2. The vacation of excess portions of El Camino Real, as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with Vesting Tentative Map VTM-85-0824.  
(CDP/PCD/VTM/REZONE-85-0824. District-1.)

Subitem-A: (R-93-935)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-85-0824 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting the mitigation monitoring and reporting program and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-93-96 Cor. Copy)

Introduction of an Ordinance for CO zoning.

Subitem-C: (R-93- )

Adoption of a Resolution granting or denying the Coastal Development Permit, with appropriate findings to support Council action.

Subitem-D: (R-93- )

Adoption of a Resolution granting or denying the Planned Commercial Development Permit, with appropriate findings to support Council action.

Subitem-E: (R-93- )

Adoption of a Resolution granting or denying the Vesting Tentative Map, with appropriate findings to support Council action.

Subitem-F: (R-93-936)

Adoption of a Resolution authorizing the vacation of El Camino Real.

FILE LOCATION:

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COUNCIL ACTION: (Tape location: B009-018.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JANUARY 26, 1993 AT THE REQUEST OF THE CITY MANAGER TO MEET NOTICING REQUIREMENTS. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-CS-1: (R-93-1075) ADOPTED AS RESOLUTION R-281313

A Resolution adopted by the City Council in Closed Session on Tuesday, January 5, 1993:

Authorizing the City Manager to pay the total sum of \$77,153.03 in the settlement of each and every claim against the City, its agents and employees, resulting from property damage to Rose Hoogendam and Doug McClure; authorizing the City Auditor and Comptroller to issue multiple checks in varying amounts, in full settlement of all claims.

A. C. 9300614.

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 2:14 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B110.)